IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE EIGHTH DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE C.Y.SOMAYAJULU

WRIT PETITION NO : 18382 of 2004

Between:

1 R.Obul Reddy, S/o Obul Reddy,
R/o H.No.4-68/2E, Mamidipally X Roads,
Armoor Mandal, Nizamabad District
2 Srikaram Ranamaiah, S/o Venkata Kondaiah,
R/o H.No.4-68/3Bm Mamidipally X Roads,
Armoor Mandal, Nizamabad District
3 R.Padma, W/o Malyadri,
R/o H.No.4-68/2Em Mamidipally X Roads,
Armoor Mandal, Nizamabad District
4 R.Seetharamulamma, W/o Obul Reddy,
R/o H.No.4-68/2E, Mamidipally X Roads,
Armoor Mandal, Nizamabad District
5 S.Srinivas, S/o Ramanaiah,
R/o H.No.4-68/3B, Mamidipally X Roads,
Armoor Mandal, Nizamabad District

..... PETITIONERS

AND

1 The Joint Collector, Nizamabad
2 The Mandal Revenue Officer, Armoor, Nizamabad District
3 Pola Gangajamuna, D/o Vishwanatham,
R/o 2-26, Big Bazaar, Armoor, Nizamabad District

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the

circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a Writ, Order or direction more in the nature of Writ of Certiorari call for the records relating to the order passed by the first respondent vide Case No.D2/18/2003, dated 28-05-2004 and quash the same by duly declaring the order passed by the first respondent against the petitioner and others in exercise of powers conferred on him under Sec.9 of A.P.Rights in Land and Pattadar Pass Books Act, 1971 setting aside the mutation proceedings issued by the 2nd respondent in favour of the petitioner and others in respect of the land in Sy.No.407 admeasuring Ac.2.00 (petitioner herein are concerned with Ac.1.00 of land) situated at Armoor Village and Mandal, Nizamabad District as illegal, arbitrary, without jurisdiction, violative of principles of natural justice and also contrary to the procedure contemplated under the provisions of A.P.Rights in Land and Pattadar Pass Books Act, 1971.

Counsel for the Petitioner:MR.N.SRIDHAR REDDY

Counsel for the Respondent No.1 and 2: GP FOR REVENUE

Counsel for the Respondent No.3: Mr.J.Kanakaiah

The Court made the following:

THE HON'BLE SRI JUSTICE C.Y.SOMAYAJULU

W.P.No.18382 of 2004

ORDER:

Learned counsel for both sides state that this writ

petition is squarely covered by the order, dated 29-10-2004 in W.P.No.18278 of 2003 and so the writ petition can be disposed of in terms of the said writ petition.

Therefore, the writ petition is disposed of with a direction to the Mandal Revenue Officer to decide the mutation afresh in respect of the land in dispute in accordance with law, after hearing the parties concerned. Till the matter is heard and decided by the Mandal Revenue Officer, none of the parties shall create any third party interest or transfer or alienate the land. No costs.

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(C.Y.SOMAYAJULU, J)

Dated February 8, 2005.

YCR

To

1. The Joint Collector, Nizamabad
2. The Mandal Revenue Officer, Armoor, Nizamabad District.
3. 2 CCs to G.P. for Revenue, High Court Buildings, Hyderabad(OUT)
4. 2 C.D. copies.